Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

**#1.00** Hearing re: Motion for relief from stay

(Wilmington Savings Fund Society VS Debtor)

Docket 340

### **Tentative Ruling:**

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 8. 10, 11, 12 and 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

### **Party Information**

**Debtor(s):** 

Chul Hyun Gong Pro Se

**Movant(s):** 

Wilmington Savings Fund Society, Represented By

Angie M Marth

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

10:30 AM

**CONT...** Chul Hyun Gong

**Chapter 7** 

**Trustee(s):** 

Wesley H Avery (TR)

Represented By Jeffrey L Sumpter

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

10:30 AM

**2:16-16255** Utility Board Shop, Inc.

Chapter 7

#2.00 Hearing re: Motion for relief from stay (Hurley Investment Co. VS Debtor)

Docket 16

### **Tentative Ruling:**

The moving papers are deficient in that movant has not demonstrated standing to seek stay relief as landlord since no copy of lease or proof of ownership of the subject property was submitted. Movant's counsel in his declaration represents that he is the owner of the property, but the motion states that the movant is Hurley Investment Co., which is not counsel who has a different name. No explanation is to show that counsel is an authorized officer or representative of movant to represent that he is the owner. Deny requests for extraordinary relief in paragraphs 7 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 10/25/16, but counsel may appear by telephone.

### **Party Information**

**Debtor(s):** 

Utility Board Shop, Inc. Represented By

Michael Jay Berger

**Movant(s):** 

Hurley Investment Co. Represented By

Howard R Hawkins

**Trustee(s):** 

David M Goodrich (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

10:30 AM

2:16-21676 Maria Isabel Ledesma

Chapter 7

#3.00 Hearing re: Motion for relief from stay (TD Auto Finance LLC VS Debtor)

Docket 7

### **Tentative Ruling:**

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

### **Party Information**

## **Debtor(s):**

Maria Isabel Ledesma Represented By

Michael E Clark

**Trustee(s):** 

Peter J Mastan (TR) Pro Se

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

#### 2:11-35816 John Chun Suh and Insil Suh

Chapter 7

**#4.00** CONT'D TRIAL RE: Motion for an order to show cause why creditor Benjamin Park and his counsel should not be held in contempt of court for violation of the discharge injunction

fr. 5/10/16, 8/11/16

Docket 32

### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. Off calendar. The court is still deliberating and thus, continues the hearing to 11/29/16 at 1:30 p.m. No appearances are required on 10/25/16.

Prior tentative ruling as of 8/8/16. No tentative ruling will be issued for the evidentiary hearing on the order to show cause. Appearances are required on 8/11/16.

Prior tentative ruling. No tentative ruling will be issued for the evidentiary hearing on the order to show cause. Appearances are required on 5/10/16.

### **Party Information**

**Debtor(s):** 

John Chun Suh Represented By

Richard Song Jaenam J Coe

**Joint Debtor(s):** 

Insil Suh Represented By

Richard Song

**Trustee(s):** 

Sam S Leslie (TR) Represented By

John H Oh

Los Angeles

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

Adv#: 2:15-01615 Dye v. Taxe

**#5.00** Order to show cause why sanctions against defendant Richard Taxe should not be imposed for failure to appear at status conference

Docket 37

## **Tentative Ruling:**

No tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (which are posted online on the court's website).

### **Party Information**

### **Debtor(s):**

Kathleen Kellogg-Taxe Represented By

Miri Kim Wakuta Gregory M Salvato

**Defendant(s):** 

Richard Taxe Pro Se

**Plaintiff(s):** 

Carolyn A. Dye Represented By

James A Dumas Jr Christian T Kim

**Trustee(s):** 

Carolyn A Dye (TR)

Represented By

Carolyn A Dye (TR) James A Dumas Jr Miri Kim Wakuta Christian T Kim

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

Adv#: 2:15-01615 Dye v. Taxe

#6.00 Cont'd status conference re: Complaint for turnover and accounting [11 U.S.C. §§105, 541, 542] fr. RN, 7/19/16, 8/10/16, 9/13/16

Docket 1

## **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. No tentative ruling on the merits. Appearances are required on 10/25/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (which are posted online on the court's website).

Prior tentative ruling as of 9/12/16. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits. Appearances are required on 8/10/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. No tentative ruling on the merits. Appearnces are required on 7/19/16.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits. Regarding trustee's pending motion for default judgment, the moving papers lack probative, admissible evidence that defendant ever had possession of the homestead exemption funds, and the court is not inclined to grant the default judgment motion without some evidence to prove up the allegations of the complaint that defendant ever had possession of the subject funds and refuses to turn over them. See In re Beltran, 182 B.R. 820, 823-824 (9th Cir. BAP 1995) (bankruptcy courts have discretion to require proof of the facts necessary to determine a valid claim for relief against the defaulting party). Trustee's check from the sale of the property for the homestead exemption funds was only payable to Debtor, not defendant, and that the only "evidence" offered by trustee that defendant got possession of the funds is her

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

## **CONT...** Kathleen Kellogg-Taxe

Chapter 7

declaration stating her suspicions, which is not competent, admissible evidence. See Federal Rules of Evidence 601 and 602. At the status conference, the court will schedule a hearing on the default judgment motion for trustee to prove up her turnover claim or set the matter for trial. Appearances are required on 5/24/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed trustee's unilateral status report stating that her motion for default judgment is pending, and the court on its own motion continues the status conference to 5/24/16 at 1:30 p.m. pending review of trustee's motion for default judgment. No appearances are required on 4/26/16.

Prior tentative ruling. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/26/16, but counsel may appear by telephone.

## **Party Information**

**Debtor(s):** 

Kathleen Kellogg-Taxe Represented By

Miri Kim Wakuta Gregory M Salvato

**Defendant(s):** 

Richard Taxe Pro Se

**Plaintiff(s)**:

Carolyn A. Dye Represented By

James A Dumas Jr Christian T Kim

Trustee(s):

Carolyn A Dye (TR)

Represented By

Carolyn A Dye (TR) James A Dumas Jr Miri Kim Wakuta Christian T Kim

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

<u>1:30 PM</u>

**CONT...** Kathleen Kellogg-Taxe

Chapter 7

Carolyn A Dye (TR) Represented By

Christian T Kim

**U.S. Trustee(s):** 

United States Trustee (LA)

Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

### 2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01084 Diamond, Chapter 7 Trustee, Plaintiff v. VC INVESTMENT GATE

**#7.00** 

Cont's status conference re: Complaint (1) To avoid and recover preferential transfers;

- (2) To avoid and recover fraudulent or avoidable transfers; (3) For imposition of constructive trust; (4) For unjust enrichment; (5) For turnover; and
- (6) To disallow claims

fr. 7/26/16, 9/27/16

Docket 1

## **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. No tentative ruling on the merits. Appearances are required on 10/25/16 to discuss the status of trustee's drafting of his motion for default judgment since he missed his prior target filing dates, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. No tentative ruling on the merits. Appearances are required on 9/27/16 to discuss the status of trustee's drafting of his motion for default judgment since he missed his target filing date of 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. Off calendar. The court has reviewed trustee's unilateral status report stating that his motion for entry of default judgment is being prepared and will be filed by 7/26/16, requesting a 60-day continuance of the status conference, and the court on its own motion continues the status conference to 9/27/16 at 1:30 p.m. in reliance on trustee's representation that he is preparing and will file a motion for default judgment by 7/26/16. No appearances are required on 7/26/16.

Prior tentative ruling. Off calendar. The court has reviewed trustee's unilateral status report stating that his request for entry of default judgment is pending, and the court noting on its case docket that default was entered

Los Angeles

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

# **CONT...** Corona Care Convalescent Corporation

Chapter 7

against defendant on 4/19/16, on its own motion continues the status conference to 7/26/16 at 1:30 p.m. pending trustee's preparation and filing of a motion for default judgment. No appearances are required on 4/26/16.

## **Party Information**

**Debtor(s):** 

Corona Care Convalescent Represented By

M Jonathan Hayes Michael Jay Berger

**Defendant(s):** 

VC INVESTMENT GATE Pro Se

**Plaintiff(s):** 

Richard K. Diamond, Chapter 7 Represented By

Walter K Oetzell

**Trustee(s):** 

Richard K Diamond (TR)

Represented By

Steven J Schwartz Howard Kollitz Walter K Oetzell

Richard K Diamond (TR) Pro Se

**U.S.** Trustee(s):

United States Trustee (LA) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

Chapter 7

Adv#: 2:15-01553 Financial Services Vehicle Trust v. Hyun

#8.00 Status conference re: Complaint to determine dischargeability of debt [11 U.S.C. §523(a)(2)(A) & (B) and §523(a)(6)] fr. 1/5/16, 7/26/16

Docket 1

#### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. No tentative ruling on the merits. Counsel for plaintiff should address when a motion for default judgment will be filed. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed plaintiff's request to treat the pretrial conference as a status conference. No tentative ruling on the merits. Appearances are required on 6/14/16, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 4/30/16 and a pretrial conference for 6/14/16 at 2:00 p.m. Parties are ordered to submit a joint pretrial stipulation as required by LBR 7016-1. Plaintiff to submit a proposed scheduling order within 7 days of hearing. Appearances are required on 1/5/16 to discuss possible referral for mediation, but counsel may appear by telephone.

### **Party Information**

### **Debtor(s):**

Dae Yub Hyun Represented By

Young K Chang

#### **Defendant(s):**

Dae Yub Hyun Pro Se

## Los Angeles

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

<u>1:30 PM</u>

**CONT...** Dae Yub Hyun

Chapter 7

**Joint Debtor(s):** 

Un Yong Hyun Represented By

Young K Chang

**Plaintiff(s):** 

Financial Services Vehicle Trust Represented By

Timothy J Silverman

**Trustee(s):** 

Carolyn A Dye (TR) Pro Se

Carolyn A Dye (TR) Pro Se

**U.S.** Trustee(s):

United States Trustee (LA) Pro Se

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

**2:15-27192 Xinzhong Bao** 

Chapter 7

Adv#: 2:16-01062 Avery v. Bao

#9.00 Cont'd pretrial conference re: Complaint to discharge under 11 U.S.C. §727; and (2) For turnover of property of the estate pursuant to 11 U.S.C. §542(a) fr. 4/12/16, 9/13/16

Docket 1

\*\*\* VACATED \*\*\* REASON: Cont'd from 10/25/16 to 11/15/16 at 2:00 p.m. per stip & order entered on 9/27/16-mb.

### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. Off calendar. Continued by stipulation and order to 11/15/16 at 2:00 p.m. No appearances are required on 10/25/16.

Prior tentative ruling. Set discovery completion date of 7/29/16 and set a pretrial conference for 9/13/15 at 1:30 p.m. with a joint pretrial stipulation due on 9/6/16. Appearances are required on 4/12/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

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Partv	Inform	ation

**Debtor(s):** 

Xinzhong Bao Represented By

Lawrence B Yang

**Defendant(s):** 

Xinzhong Bao Pro Se

**Plaintiff(s):** 

Wesley H. Avery Represented By

Robert M Aronson

Trustee(s):

Wesley H Avery (TR) Pro Se

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<u>1:30 PM</u>

**CONT... Xinzhong Bao** 

Chapter 7

Wesley H Avery (TR) Represented By

Robert M Aronson

**U.S. Trustee(s):** 

United States Trustee (LA)

Pro Se

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01082 Rosales et al v. Moll

#10.00

Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud; 11 U.S.C. §523(a)(4), fraud as fiduciary, embezzlement, larceny fr. 4/12/16, 5/24/16, 8/23/16

Docket 1

### **Tentative Ruling:**

No tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/22/16. Appearances are required on 8/23/16, but counsel may appear by telephone.

### **Party Information**

**Debtor(s):** 

Gary Moll Represented By

Ilyse Klavir Gary E Moll

**Defendant(s):** 

Gary Moll Pro Se

**Plaintiff(s):** 

Jesus Rosales Represented By

Kevin T Simon

Julio A Rosales Represented By

Kevin T Simon

**Trustee(s):** 

Howard M Ehrenberg (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

**CONT...** Gary Moll

**Chapter 7** 

**U.S. Trustee(s):** 

United States Trustee (LA)

Pro Se

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#11.00 Status conference re: Complaint for non-dischargeability of debt

Docket 1

## **Tentative Ruling:**

This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

### **Party Information**

**Debtor(s):** 

Reggie Lyn Bishop Pro Se

**Defendant(s):** 

Reggie Lyn Bishop Sr Pro Se

**Plaintiff(s):** 

Willie Mae Phelps Represented By

Frances M Campbell

**Trustee(s):** 

Timothy Yoo (TR) Pro Se

Los Angeles Judge Robert Kwan, Presiding

Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

1:30 PM

**2:16-16503** Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01383 Richards, Individually and as Trustee of the Gwend v. Bishop

#12.00 Status conference re: Complaint for: nondischargeability of debts pursuant to 11 U.S.C. §523(a)(2)(A); 11 U.S.C. §523(a)(4); and §523(a)(6)

Docket 1

### **Tentative Ruling:**

This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

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Party	Inform	ลfเกท

**Debtor(s):** 

Reggie Lyn Bishop Pro Se

**Defendant(s):** 

Reggie Bishop Pro Se

**Plaintiff(s):** 

Law Offices of A. George Glasco, Represented By

A. George Glasco

Frederick F Richards III, as Trust Represented By

A. George Glasco

Brenda Moore Richards, Represented By

A. George Glasco

**Trustee(s):** 

Timothy Yoo (TR) Pro Se

## Judge Robert Kwan, Presiding Courtroom 1645 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1645

1:30 PM

**2:16-18154** Cesar Abel Sazo

Chapter 7

Adv#: 2:16-01384 Yoo, Chapter 7 Trustee v. Sazo

#13.00 Status conference re: Complaint for: (1) avoidance of fraudulent transfer; (2) recovery of avoided transfer; (3) sale of interest of co-owners in property of the estate; and (4) turnover of property

Docket 1

\*\*\* VACATED \*\*\* REASON: Cont'd from 10/25/16 to 2/21/17 at 1:30 p.m. by stip & order entered on 10/19/16-mb.

## **Tentative Ruling:**

Off calendar. Continued by stipulation and order to 2/11/17 at 1:30 p.m. No appearances are required on 10/25/16.

### **Party Information**

**Debtor(s):** 

Cesar Abel Sazo Pro Se

**Defendant(s):** 

Ader Sazo Pro Se

**Plaintiff(s):** 

Timothy J. Yoo, Chapter 7 Trustee Represented By

Todd M Arnold

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Todd M Arnold

Los Angeles Pobert Kwan, Presidi

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:00 PM

### 2:12-11628 LEODIS CLYDE MATTHEWS

Chapter 7

Adv#: 2:12-01499 Westland Architecture & Development Corporation v. MATTHEWS

#14.00 CONT'D POST TRIAL RE: Complaint To: (1) Determine Dischargeability of Debt Pursuant to 11 U.S.C. § 523(a)(2)(A) and 523(a)(4); (2) Deny Debtor a Discharge

Pursuant to 11 U.S.C. § 727(a)(2), 727(a)(3), 727(a)(4), and 727(a)(5)

fr. 8/16/16, 8/30/16, 9/20/16

Docket 1

### **Tentative Ruling:**

Off calendar. Memorandum decision entered. No appearances are necessary.

## **Party Information**

**Debtor(s):** 

LEODIS CLYDE MATTHEWS Represented By

Ronald E Michelman

**Defendant(s):** 

LEODIS CLYDE MATTHEWS Pro Se

**Plaintiff(s):** 

Westland Architecture & Represented By

Anthony N Ranieri

**Trustee(s):** 

Carolyn A Dye (TR) Pro Se

Carolyn A Dye (TR) Pro Se

**U.S. Trustee(s):** 

United States Trustee (LA) Pro Se

Courtroom 1675 Calendar

Los Angeles Judge Robert Kwan, Presiding

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:00 PM

## 2:15-12558 Kenneth Leonard Dymmel

Chapter 11

Adv#: 2:15-01275 Dymmel et al v. Valley Economic Dev Center Inc

#15.00 Cont'd pretrial conference re: Complaint (1) to determine the nature, extent and validity of lien [11 U.S.C. §506 and FRBP 7001(2)]; (2) for declaratory relief; (3) for quiet title; (4) for fraud; (5) avoidance of fraudulent transfer under 11 U.S.C. §554; (6) recovery of avoided; and transfers under 11 U.S.C. §551; and (7) equitable subordination of claim under 11 U.S.C. §510 fr. 1/27/16, 5/17/16, 6/16/16, 8/23/16

Docket 1

\*\*\* VACATED \*\*\* REASON: Cont'd from 10/25/16 to 11/29/16 at 2:00 p.m by stip & order entered on 9/15/16-mb.

### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. Off calendar. Continued by stipulation and order to 11/29/16 at 2:00 p.m. No appearances are required on 10/25/16.

Prior tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

No updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 10/31/15 and set a pretrial conference for 12/8/15 at 1:30 p.m. with a filing deadline for a joint pretrial stipulation of 12/1/15 Appearances are required on 7/28/15, but counsel may appear by telephone. Counsel for plaintiffs to submit a proposed scheduling order within 7 days of hearing.

### **Party Information**

#### **Debtor(s):**

Kenneth Leonard Dymmel

Represented By Robert M Aronson

#### **Defendant(s):**

Valley Economic Dev Center Inc

Pro Se

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## Los Angeles

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:00 PM

**CONT...** Kenneth Leonard Dymmel

**Chapter 11** 

**Joint Debtor(s):** 

Ruth Elizabeth Dymmel Represented By

Robert M Aronson

**Plaintiff(s):** 

Ruth Elizabeth Dymmel Represented By

Robert M Aronson

Kenneth Leonard Dymmel Represented By

Robert M Aronson

**U.S.** Trustee(s):

United States Trustee (LA) Pro Se

**Los Angeles** 

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:30 PM

## 2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

Adv#: 2:13-01781 Dye et al v. KELLSPIN, INC., a Nevada corporation et al

#16.00 Hearing re: Trustee's Application for Order of Sale of Dwelling and Issuance of Order to Show Cause Why Order for Sale of Dwelling Should not be Made

Docket 216

### **Tentative Ruling:**

Treat as a contested matter under FRBP 9014 and discuss scheduling of further proceedings and evidentiary hearing. There appears to be some disparity in the street address of the subject property, though the assessor's parcel number is the same and Mr. Taxe says the property is not properly described in the moving papers. Appearances are required on 10/25/16.

### **Party Information**

#### **Debtor(s):**

Kathleen Kellogg-Taxe Represented By

Miri Kim Wakuta Gregory M Salvato

### **Defendant(s):**

BANK OF AMERICA, N.A.	Pro Se
THE JEFFREY R. STARK AND	Pro Se
SARAH S. BERGES AS TRUSTEE	Pro Se
WORKMENS MID-ATLANTIC	Pro Se
FIVE STAR GLOBAL	Pro Se
David S. Halper	Pro Se
Richard Chang	Pro Se
EURAMEX SERVICES, LTD., a	Pro Se
, OMNI GROUP, INC., a	Pro Se

10/24/2016 6:02:51 PM

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Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

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2:30 PM

**CONT...** Kathleen Kellogg-Taxe

Chapter 7

KELLSPIN, INC., a Nevada Represented By

John Saba Silvia Alvarado Gregory M Salvato

MARION DAVIS, as trustee for the Pro Se

G.J. SIEGAL & ASSOCIATES, Pro Se

, NEPTUNE GROUP, INC., a Pro Se

**Plaintiff(s):** 

Carolyn A. Dye Represented By

James A Dumas Jr Christian T Kim Miri Kim Wakuta

**Trustee(s):** 

Carolyn A Dye (TR) Represented By

Carolyn A Dye (TR) James A Dumas Jr Miri Kim Wakuta Christian T Kim

# Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:30 PM

2:14-20256 Masoud F. Kiani

Chapter 7

**#17.00** Hearing re: Trustee's final report and account;

Application for fees and expenses

[Howard Ehrenberg, Chapter 7 Trustee]

Docket 49

## **Tentative Ruling:**

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 10/25/16, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

## **Party Information**

**Debtor(s):** 

Masoud F. Kiani Represented By

Farbood Majd

**Trustee(s):** 

Howard M Ehrenberg (TR) Pro Se

## Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:30 PM

2:14-20256 Masoud F. Kiani

Chapter 7

**#18.00** Hearing re: Application for fees and expenses

[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 47

## **Tentative Ruling:**

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 10/25/16, but trustee and counsel may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

### **Party Information**

**Debtor(s):** 

Masoud F. Kiani Represented By

Farbood Majd

**Movant(s):** 

Menchaca & Company LLP Pro Se

**Trustee(s):** 

Howard M Ehrenberg (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

2:30 PM

**2:15-26460** Anait Akopyan

Chapter 7

#19.00 Hearing re: Motion to compel abandon pursuant to 11 U.S.C. section 554(b)

Docket 50

### **Tentative Ruling:**

The court has reviewed the moving papers and is inclined to grant the motion as to the Catalina or Kingswell properties since they are identified in the motion pursuant to LBR 6007-1(c) for the reasons stated in the moving papers and for lack of timely written opposition, but not as to other property since such property is not identified in the moving papers as required by LBR 6007-1(c), which is insufficient notice to parties in interest, including the trustee and other creditors. If movant wants relief as to other property, she will have to specifically describe such property in an amended motion, even if it is to list out property on the schedules. Appearances are required on 10/25/16, but counsel may appear by telephone.

## **Party Information**

**Debtor(s):** 

Anait Akopyan Represented By

Michael Jay Berger

**Trustee(s):** 

Heide Kurtz (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

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3:00 PM

#### 2:10-20883 Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

#20.00

Cont'd status conference re: Gary Garoian's objection to amended claim #13-2 filed by Allen B. Carpenter; Arthur M. Carpenter and Rose V. Carpenter, Trustees of the Carpenter Family Trust of 1986; and Arthur Carpenter fr. 3/22/16, 5/31/16, 7/19/16, 9/6/16

Docket 152

## **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. The hearing on the matter appears to be moot in light of the settlement between the parties. Appearances are optional on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. Continued to 9/6/16 at 3:00 p.m. by order entered on 7/15/16 on Carpenter parties' ex parte motion to continue hearing on Garoian parties' summary judgment motion. No appearances are required on 7/19/16.

Prior tentative ruling as of 5/27/16. See tentative ruling for matter no. 7.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are unresolved material factual issues regarding the matter. Appearances are required on 3/22/16 to discuss scheduling of further proceedings. Unresolved material factual issues concern: (1) objector's standing as a creditor to object to the claim based on claimants' defense that objector has no claim as a creditor and standing to object based on his failure to pay an avoided transfer pursuant to 11 U.S.C. 502(d) (i.e., has objector failed to pay the avoided transfer, and is lack of financial ability a defense?); (2) do claimants have a valid claim reasonable in amount since there is little substantiation in support of the claim (i.e., adequate documentation for claim for attorneys' fees is lacking and contested by objector); (3) aside from the reasonableness of the fees claimed, what is the proper amount of the claim since it appears to be contingent as there has been no judicial determination of claimants as a "prevailing parties" under state law (i.e., that the claim may be contingent is not a proper basis for objection, In re Cool Fuel, Inc., 210

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3:00 PM

### CONT... Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

F.3d 999, 1006-1007 (9th Cir. 2000), which may have to be estimated if contingent; (4) there may be factual issues as to whether there was a breach of the lease contract for which debtor Daniel Garoian and the estate is liable for a claim, which has not been judicially determined (however, dismissal of debtor from the state court lawsuit does not mean that claimants cannot file a claim in this bankruptcy case). The court is considering bifurcating the factual issues to decide the objector's standing first because that issue is relatively straightforward and probably will require minimal factual development.

## **Party Information**

### **Debtor(s):**

Aurora Adela Garoian Represented By

Donny A Ekine

**Joint Debtor(s):** 

Daniel Ara Garoian Represented By

Peter Recchia

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

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**Hearing Room** 

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3:00 PM

#### 2:10-20883 Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

#21.00 Cont'd status conference re: Edward Garoian's objection to amended claim #13-2 filed by Allen B. Carpenter; Arthur M. Carpenter and Rose V. Carpenter, Trustees of the Carpenter Family Trust of 1986; and Arthur Carpenter fr. 3/22/16, 5/31/16,7/19/16, 9/6/16

Docket 151

## **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. The hearing on the matter appears to be moot in light of the settlement between the parties. Appearances are optional on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. Continued to 9/6/16 at 3:00 p.m. by order entered on 7/15/16 on Carpenter parties' ex parte motion to continue hearing on Garoian parties' summary judgment motion. No appearances are required on 7/19/16.

Prior tentative ruling as of 5/27/16. See tentative ruling for matter no. 7.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are unresolved material factual issues regarding the matter. Appearances are required on 3/22/16 to discuss scheduling of further proceedings. Unresolved material factual issues concern: (1) objector's standing as a creditor to object to the claim based on claimants' defense that objector has no claim as a creditor and standing to object based on his failure to pay an avoided transfer pursuant to 11 U.S.C. 502(d) (i.e., has objector failed to pay the avoided transfer, and is lack of financial ability a defense?); (2) do claimants have a valid claim reasonable in amount since there is little substantiation in support of the claim (i.e., adequate documentation for claim for attorneys' fees is lacking and contested by objector); (3) aside from the reasonableness of the fees claimed, what is the proper amount of the claim since it appears to be contingent as there has been no judicial determination of claimants as a "prevailing parties" under state law (i.e., that the claim may

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### **CONT...** Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

be contingent is not a proper basis for objection, In re Cool Fuel, Inc., 210 F.3d 999, 1006-1007 (9th Cir. 2000), which may have to be estimated if contingent; (4) there may be factual issues as to whether there was a breach of the lease contract for which debtor Daniel Garoian and the estate is liable for a claim, which has not been judicially determined (however, dismissal of debtor from the state court lawsuit does not mean that claimants cannot file a claim in this bankruptcy case). The court is considering bifurcating the factual issues to decide the objector's standing first because that issue is relatively straightforward and probably will require minimal factual development.

## **Party Information**

### **Debtor(s):**

Aurora Adela Garoian Represented By

Donny A Ekine

**Joint Debtor(s):** 

Daniel Ara Garoian Represented By

Peter Recchia

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

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2:10-20883 Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

#22.00 Cont'd hearing re: Trustee's motion objecting to proof of claim #15-1 filed by Edward

Garoian

fr. 7/19/16, 9/6/16

Docket 206

### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. The hearing on the matter appears to be moot in light of the settlement between the parties. Appearances are optional on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. Continued to 9/6/16 at 3:00 p.m. by order entered on 7/15/16 on Carpenter parties' ex parte motion to continue hearing on Garoian parties' summary judgment motion. No appearances are required on 7/19/16.

### **Party Information**

**Debtor(s):** 

Aurora Adela Garoian Represented By

Donny A Ekine

**Joint Debtor(s):** 

Daniel Ara Garoian Represented By

Peter Recchia

**Movant(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

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Tuesday, October 25, 2016

**Hearing Room** 

1675

3:00 PM

## 2:10-20883 Aurora Adela Garoian

Chapter 7

#23.00 Cont'd hearing re: Amended objection of Carpenter parties' to claim #15-1 by claimant Edward Robert Garoian in the amount of \$958,000.00 fr. 3/22/16, 5/31/16, 7/19/16, 9/6/16

Docket 210

### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. The hearing on the matter appears to be moot in light of the settlement between the parties. Appearances are optional on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. Continued to 9/6/16 at 3:00 p.m. by order entered on 7/15/16 on Carpenter parties' ex parte motion to continue hearing on Garoian parties' summary judgment motion. No appearances are required on 7/19/16.

Prior tentative ruling as of 5/27/16. See tentative ruling for matter no. 7.

Prior tentative ruling as of 3/21/16. Treat as a contested matter under FRBP 9014 because there are unresolved material factual issues regarding the matter. Appearances are required on 3/22/16 to discuss scheduling of further proceedings. Unresolved material factual issues concern: (1) objectors' standing as creditors based on claimant's defense that objectors have no standing on grounds against the estate of debtor on grounds that debtor Daniel Garoian was dismissed in objectors' state court lawsuit and that any liability of the estate is contingent since there is no proof of any determination of objectors' prevailing party status in the state court lawsuit and the amount of such claim has not been determined and liquidated. It appears to the court that the objectors' claim may be contingent is not a proper basis for objection to their standing, In re Cool Fuel, Inc., 210 F.3d 999, 1006-1007 (9th Cir. 2000), which may have to be estimated if contingent, and also that dismissal of debtor from the state court lawsuit does not mean that objectors cannot file a claim in this bankruptcy case; (2) whether claimant has a valid claim against the estate based on his failure to pay an avoided transfer pursuant to 11 U.S.C. 502(d) (i.e., has claimant failed to pay the avoided transfer, and is

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**CONT...** Aurora Adela Garoian

Chapter 7

lack of financial ability a defense?).

Prior tentative ruling. Treat as contested matter under FRBP 9014. Appearances are required on 12/15/15 to discuss scheduling of pretrial and trial proceedings. Parties should be prepared to discuss their pretrial and trial needs, including discovery. Counsel may appear by telephone.

## **Party Information**

**Debtor(s):** 

Aurora Adela Garoian Represented By

Donny A Ekine

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

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3:00 PM

#### 2:10-20883 Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

#24.00 Cont'd hearing re: Edward Garoian's motion for summary judgment/summary

adjudication of issues fr. 8/9/16, 9/6/16

Docket 217

### **Tentative Ruling:**

The hearing on the matter appears to be moot in light of the settlement between the parties. Appearances are optional on 10/25/16, but counsel may appear by telephone.

### **Party Information**

#### **Creditor(s):**

Capital One Bank (USA), N.A. by Pro Se

Bank of America, N.A. Represented By

Raffi Khatchadourian

Allen B Carpenter Represented By

Christine A Page Alan M Kindred David R. Weinstein

Courtesy NEF Pro Se

**Debtor(s):** 

Aurora Adela Garoian Represented By

Donny A Ekine

**Interested Party(s):** 

David R. Weinstein Represented By

David R. Weinstein

Courtesy NEF Represented By

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**CONT...** Aurora Adela Garoian and Daniel Ara Garoian

Chapter 7

Wesley H Avery Sean Keshishyan

Scan

**Joint Debtor(s):** 

Daniel Ara Garoian Represented By

Peter Recchia

**Movant(s):** 

Edward Garoian Represented By

Peter Recchia

**Other Professional(s):** 

Regis F. Boyle Pro Se

**Petitioning Creditor(s):** 

Edward Garoian Represented By

Peter Recchia

Gary Garoian Represented By

Peter Recchia

**Realtor(s):** 

Southbay Passive Income, Inc Pro Se

**Trustee(s):** 

Timothy Yoo (TR) Represented By

Wesley H Avery

**U.S.** Trustee(s):

United States Trustee (LA) Pro Se

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3:00 PM

2:14-11510 eClaris, Inc.

Chapter 7

#25.00 Cont'd hearing re: Motion to clarify the court's prior order on sale of estate assets fr. 9/13/16

Docket 66

#### **Tentative Ruling:**

Revised tentative ruling as of 10/24/16. Based on the sale motion documents and settlement agreement between the trustee and Cooper, the description of the assets to be sold to Cooper does not include the specific asset of the breach of fiduciary duty claim asserted by Cooper against Ngue as a derivative claim on behalf of the debtor (the trustee's declaration of intent to sell all estate assets to Cooper is hindsight unsupported by the plain contractual language of the settlement agreement and the sale motion and the order thereon), and thus, the motion to clarify the sale and settlement approval order should not be granted based on a sale of the asset by the trustee to Cooper. The asset, however, does appear to be a scheduled asset as reflected on Schedule B, Item 21, with the reference to Item 4 in the Statement of Financial Affairs (however, none of the parties have provided a copy of the cross-complaint with this claim to the court, which would have been helpful, though it is also referenced in the copy of the state court case docket provided to the court), and it thus appears that the scheduled, but unadministered asset was technically abandoned to the debtor pursuant to 11 U.S.C. 554(c), In re Menk, 241 B.R. 896, 913 (9th Cir. BAP 1999), and it appears that reopening the case does not negate the technical abandonment. In re DeVore, 223 B.R. 193, 197 (9th Cir. BAP 1998). The court will entertain argument and/or further briefing whether this means Cooper as the sole shareholder of the debtor as he argues or some other party representing the debtor as argued by bankruptcy counsel for debtor and Ngue (it is unclear on this record who now has standing to represent the debtor post-abandonment), or whether there are disputed issues of material fact that require an evidentiary hearing. Appearances are required on 10/25/16.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because it appears to the court that there are disputed factual issues that may require an

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3:00 PM

CONT... eClaris, Inc.

Chapter 7

evidentiary hearing. The papers do not include copies of the pleadings in the state court action in order for the court to determine what claims were involved in that lawsuit and subject to the sale motion heard in this case. The parties should be prepared to discuss their discovery and other pretrial needs. Appearances are required on 9/13/16, but counsel may appear by telephone.

#### **Party Information**

**Debtor(s):** 

eClaris, Inc. Represented By

Robert M Aronson

**Trustee(s):** 

Richard K Diamond (TR)

Represented By

Steven J Schwartz

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

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3:00 PM

**2:15-25415** Maria D Martinez

Chapter 7

#26.00

Cont'd hearing re: Motion under 11 U.S.C. §110(h)(5) for fines against bankruptcy petition preparer for failing to comply with a court turnover order fr. 7/26/16, 9/27/16

Docket 25

\*\*\* VACATED \*\*\* REASON: Withdrawal of motion filed on 10/17/16-mb.

#### **Tentative Ruling:**

Updated tentative ruling as of 10/24/16. Off calendar. Motion withdrawn. No appearances are necessary.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Deny motion for lack of compliance with LBR 9020-1 governing civil contempt proceedings since movant is seeking to compel compliance with an existing court order, which is in the nature of civil contempt. Deny request to fine respondent for lack of legal authority since this appears to be a sanction for criminal contempt, which is outside the authority of the bankruptcy court and must be adjudicated by the district court. In re Dyer, 322 F.3d 1178, 1192 (9th Cir. 2003), citing, 11 U.S.C. 105(a). Deny without prejudice request to enjoin respondent as bankruptcy petition preparer based on alleged failure to comply with the court's prior sanctions order before consideration of civil contempt first. Appearances are required on 7/26/16.

#### **Party Information**

**Debtor(s):** 

Maria D Martinez Pro Se

**Movant(s):** 

United States Trustee (LA)

Represented By

Ron Maroko

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**CONT...** Maria D Martinez

**Chapter 7** 

**Trustee(s):** 

Peter J Mastan (TR)

### Judge Robert Kwan, Presiding Courtroom 1675 Calendar

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**2:16-16487** Dave Dae Baang

Chapter 7

#27.00 Order to show cause why sanctions should not be imposed for failure to appear at hearing

Docket 46

### **Tentative Ruling:**

No tentative ruling as of 10/24/16. Appearances are required on 10/25/16.

#### **Party Information**

**Debtor(s):** 

Dave Dae Baang Represented By

Kevin H Jang Kevin H Jang

**Trustee(s):** 

Elissa Miller (TR) Pro Se

### Judge Robert Kwan, Presiding Courtroom 1675 Calendar

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**Hearing Room** 

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3:00 PM

**2:16-16487** Dave Dae Baang

Chapter 7

#28.00

Cont'd hearing re: Motion under 11 U.S.C. §110 for fines and/or disgorgement of fees against bankruptcy petition preparer William Kim, Muhan Law Firm, & Jeongseo Yoo fr. 9/20/16

Docket 34

#### **Tentative Ruling:**

No updated tentative ruling as of 10/24/16. Appearances are required on 10/25/16.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because it appears to the court that there are disputed factual issues that may require an evidentiary hearing. The parties should be prepared to discuss their discovery and other pretrial needs. Appearances are required on 9/20/16, but counsel may appear by telephone.

#### **Party Information**

#### **Debtor(s):**

Dave Dae Baang Represented By

Kevin H Jang Kevin H Jang

**Trustee(s):** 

Elissa Miller (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

3:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti et al

#29.00 Order to appear and show cause why sanctions should not be imposed pursuant to Local Bankruptcy Rule 9011-3(a) against counsel for plaintiff, Dimitros P. Biller and counsel for defendant, Derek L. Tabone for multiple violations of the court's rules and orders in failing to serve judge's copies of their pleadings filed in this adversary proceeding and in filing a joint status report in this adversary proceeding, including monetary sanctions of \$250 against each counsel

Docket 51

#### **Tentative Ruling:**

The court has reviewed counsel declarations in response to the order to show cause and is inclined to discharge the order to show cause. Appearances are required on 10/25/16, but counsel may appear by telephone.

#### **Party Information**

**Debtor(s):** 

Maria Virginia Marti Represented By

Anita Khachikyan

**Defendant(s):** 

Armex Design & Construction, Inc Pro Se

Maria Virginia Marti Represented By

Derek L Tabone

**Plaintiff(s):** 

Mario Romero Represented By

Dimitrios P Biller

**Trustee(s):** 

Jason M Rund (TR) Pro Se

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

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3:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti et al

#30.00

Cont'd hearing re: Plaintiff's motion for monetary and non-monetary sanctions in the amount of \$20,000.00 against attorney Derek Tabone and defendant Maria Virginia Marti

fr. 8/30/16, 9/27/16

Docket 22

#### **Tentative Ruling:**

No updated tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

#### **Party Information**

**Debtor(s):** 

Maria Virginia Marti Represented By

Anita Khachikyan

**Defendant(s):** 

Armex Design & Construction, Inc Pro Se

Maria Virginia Marti Represented By

Derek L Tabone

**Movant(s):** 

Mario Romero Represented By

**Dimitrios P Biller** 

**Plaintiff(s):** 

Mario Romero Represented By

Dimitrios P Biller

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CONT... Maria Virginia Marti

**Chapter 7** 

**Trustee(s):** 

Jason M Rund (TR)

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Tuesday, October 25, 2016

**Hearing Room** 

1675

3:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti et al

#31.00 Cont'd hearing re: Motion to (1) dismiss first amended complaint for adversary proceedings and non-dischargeability of defendant's debt pursuant to 11 U.S.C. §727(a) (2); 727(a)(3); 727(a)(4); 727(a)(7); 523; 523(a)(4), 526(6) and 523(a)(19) and (2) to strike irrelevant material

fr. 8/16/16, 9/27/16

Docket 12

#### **Tentative Ruling:**

No updated tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Off calendar. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

#### **Party Information**

**Debtor(s):** 

Maria Virginia Marti Represented By

Anita Khachikyan

**Defendant(s):** 

Armex Design & Construction, Inc Pro Se

Maria Virginia Marti Represented By

Derek L Tabone

**Plaintiff(s):** 

Mario Romero Represented By

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CONT... Maria Virginia Marti

**Chapter 7** 

Dimitrios P Biller

**Trustee(s):** 

Jason M Rund (TR)

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

1675

3:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti

#32.00 Cont'd status conference re: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 8/16/16, 9/27/16

Docket 1

### **Tentative Ruling:**

No updated tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

#### **Party Information**

**Debtor(s):** 

Maria Virginia Marti Represented By

Anita Khachikyan

**Defendant(s):** 

Maria Virginia Marti Pro Se

**Plaintiff(s):** 

Mario Romero Represented By

**Dimitrios P Biller** 

**Trustee(s):** 

Jason M Rund (TR) Pro Se

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CONT... Maria Virginia Marti

**Chapter 7** 

Jason M Rund (TR)

Pro Se

**U.S. Trustee(s):** 

United States Trustee (LA)

### Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

**Hearing Room** 

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3:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#33.00 Hearing re: Motion to dismiss complaint for non-dischargeability

Docket 10

#### **Tentative Ruling:**

No tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (which are posted online on the court's website).

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Party	Into	mma	TIAN
1 41 0 7			

**Debtor(s):** 

Reggie Lyn Bishop Pro Se

**Defendant(s):** 

Reggie Lyn Bishop Sr Pro Se

**Plaintiff(s):** 

Willie Mae Phelps Represented By

Frances M Campbell

**Trustee(s):** 

Timothy Yoo (TR) Pro Se

Los Angeles

Judge Robert Kwan, Presiding Courtroom 1675 Calendar

Tuesday, October 25, 2016

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1675

3:30 PM

**2:16-16503** Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01383 Richards, Individually and as Trustee of the Gwend v. Bishop

#34.00 Hearing re: Motion to dismiss complaint for non-dischargeability

Docket 14

#### **Tentative Ruling:**

No tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (which are posted online on the court's website).

<b>D</b>	T 0	4.0
Party	Inforr	nation

**Debtor(s):** 

Reggie Lyn Bishop Pro Se

**Defendant(s):** 

Reggie Bishop Pro Se

**Plaintiff(s):** 

Law Offices of A. George Glasco, Represented By

A. George Glasco

Frederick F Richards III, as Trust Represented By

A. George Glasco

Brenda Moore Richards, Represented By

A. George Glasco

**Trustee(s):** 

Timothy Yoo (TR) Pro Se